

This document is an extract of a larger publication.

civilgrandjury.org is a project of UnGovr.org, a US-based 501(c)(3) nonprofit dedicated to government transparency and public accountability.



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INTRODUCTION



Photo by Bruce Maxwell of Lakeport

LAKE COUNTY CIVIL GRAND JURY

HISTORY

The institution of the Civil Grand Jury is of ancient origin. Its use as an instrument of government predates its introduction into our county during colonial times. It has been continued and used throughout American history.

As constituted today, the Grand Jury is a part of the judicial branch of government – “an arm of the court”. It does not have the functions of either the legislative or executive branches, and is not a police agency. Additionally, it does not mandate policy changes. It is an examining and investigative body that makes recommendations to improve systems, procedures, and methods of operations in designated local government.

In Lake County, the Grand Jury generally performs only civil functions.

ORGANIZATION

The Lake County Civil Grand Jury (Grand Jury) is composed of nineteen men and women of various backgrounds chosen from throughout Lake County.

The presiding Superior Court Judge appoints a foreperson who presides over all full jury proceedings and is responsible for directing the business of the Grand Jury.

Most Grand Jury work is done by committees. The areas of focus of these committees usually includes: Environment, Juvenile Justice, Social Services, Health, Administration, Criminal Justice, Public Works, Special Districts and Public Schools.

The Grand Jury and its committees meet several times a month. They meet with county and city officials, visit county facilities, and conduct independent research on matters of interest or concern. The committees report to the full Grand Jury and conclusions are reached after discussion and study of issues. The Grand Jury may seek advice or request the services of the County Council, District Attorney, Presiding Judge of the Superior Court, or State Attorney General.

FUNCTIONS

Watchdog Responsibilities:

The major function of the Grand Jury is to examine county and city government and special districts to ensure that their duties are being lawfully carried out. The Grand Jury reviews and evaluates procedures, methods and systems utilized by these entities to determine whether more efficient and economical programs may be employed. The Grand Jury is also authorized to:

1. Inspect and audit books, records and financial expenditures to ensure that public funds are properly accounted for and legally spent.
2. Inspect books and records of special districts in Lake County.
3. Examine the books and records of any nonprofit organization receiving county or city funds.
4. Inquire into the conditions of jails and detention facilities.
5. Inquire into any charges of willful misconduct in an office by public officials or employees.

Response to Citizens Complaints:

The Grand Jury receives letters from citizens alleging mistreatment by officials, suspicions of misconduct or governmental inefficiencies. Anyone may ask the Grand Jury to conduct an investigation. All complaints are confidential. The jury generally limits investigations to the operations of governmental agencies, charges of wrongdoing within public agencies, or the performance of unlawful acts by public officials. The Grand Jury cannot investigate disputes between private parties.

FINAL REPORT

At the end of its term the Grand Jury issues a final report, including reports released during the year, documenting its investigations and recommendations. Copies of the final report are distributed to public officials, libraries, the news media, any interested parties and any entity that is the subject of one of the reports. According to law, the elected County officers must respond within sixty (60) days following the release of the final report. The Board of Supervisors and other public agency governing boards must respond within ninety (90) days.

The Grand Jury's final report summarizes the year's activities and contains its findings and recommendations for action and study. The new Grand Jury reviews

the responses of the affected public agencies and the process of protection the public interest begins anew.

SUBMISSION OF COMPLAINTS

Although is it not required, complaints should first be addressed to those responsible for resolution unless it will be detrimental to the complainant.

The Lake County Grand Jury will respond to all citizens submitting complaints. The citizen may not have further acknowledgement other than their complaint was received. A Complaint Form is available in the Appendix.

Additional Complaint Forms may be requested from:

**Lake County Civil Grand Jury
PO Box 1078
Kelseyville, CA 95451
(707) 279-8619**

Or on the web at <http://www.co.lake.ca.us/Government/Boards/GrandJury/>

GRAND JURY SELECTION PROCESS

The court solicits applications for the Grand Jury by advertising in the local papers. An Application Form is available in the Appendix. Additional Applications may be obtained by mailing a letter with a self-addressed, stamped envelope to:

**Grand Jury Coordinator
255 North Forbes Street
Fourth Floor
Lakeport, CA 95453.**

Applications are also available at each Superior Court Clerk's office at the above address or at 7000 A South Center Drive, Clearlake.

Once applications have been screened and approved, they are randomly selected to be members of the Grand Jury.

QUALIFICATIONS FOR GRAND JURORS

Prospective Grand Jurors must possess the following qualifications (Penal Code 893):

1. Be a citizen of the United States, of the age of eighteen (18) years or older who shall have been a resident of the state and county for one year immediately prior to being selected.
2. Be in possession of his or her natural faculties, or ordinary intelligence, sound judgment, and fair character.
3. Possess sufficient knowledge of the English language.

A person is not legally required to serve if any of the following apply:

1. The person is serving as a trial juror in any court of this state.
2. The person has been discharged as a Grand Juror in any court of the state within one year.
3. The person has been convicted of malfeasance in office or any felony or other high crime.
4. The person is serving as an elected public officer.

Desirable qualifications for a Grand Juror include the following:

1. Have the time to make the necessary commitment. It is not uncommon to serve ten to fifteen hours a week or more.
2. Be open-minded with concern for the positions and view of others.
3. Have the ability to work with others.
4. Have an interest in community affairs.
5. Possess investigative skills and an ability to write reports
6. Have a general knowledge of the functions, authorities and responsibilities of count and city government and other civil entities



**COUNTY OF LAKE
CIVIL GRAND JURY**

PO Box 1078
Kelseyville, CA 95451
Telephone: (707) 279-8619
Fax: (707) 279-1983

To the Citizens of Lake County:

The final report of the 2014-2015 Lake County Civil Grand Jury summarizes the Jury's investigations into the procedures and performance of local government. It is the culmination of a great deal of work by the jurors, ordinary citizens committed to serving their community.

The Lake County Civil Grand Jury works for the people of Lake County by serving as a governmental watchdog. The Jury helps to maintain public confidence by holding our government to the highest standards of integrity and efficiency. The activities of the Grand Jury are closely defined under the law. Our mission is to bring to light any anomalies or inefficiencies that we encounter so that the public is informed and officials can take corrective actions.

Our chief observation is that Lake County employees at all levels are highly dedicated and honorable people. Often, they are dealing with low staffing levels, legal restrictions and other obstacles which they work hard to overcome. County staff was cooperative in the investigation process and forthcoming with information. A review of our final report will show a number of areas where improvements can be made.

This year's Grand Jury consisted of individuals from many backgrounds and walks of life, organized into six investigative committees and a continuity committee. These hard-working jurors conducted interviews, examined documents and archives, inspected facilities and produced the enclosed reports which were approved by the whole grand jury. Our group also developed new procedures for digital data storage and a smoother transition from one year's grand jury to the next.

After an eventful and educational year of learning more about County operations, I highly recommend participating in the Civil Grand Jury to my fellow Lake County residents. The work of the Grand Jury is a vital component of the democratic process that is so important to our way of life. It has been an honor to serve on the Jury.

If you would be interested in being on the grand jury, an Application Form is available in the Appendix. If you would like to file a complaint, a Grand Jury Complaint form is also available in the Appendix.

Sincerely,

James C. Baur
Foreperson, 2014-2015



**COUNTY OF LAKE
CIVIL GRAND JURY**
PO Box 1078
Kelseyville, CA 95451
Telephone: (707) 279-8619
Fax: (707) 279-1983

June 30, 2015

The Honorable Stephen O. Hedstrom
Superior Court of California
County of Lake
255 Forbes Street
Lakeport, CA 95422

Dear Judge Hedstrom,
On behalf of the 2014-2015 Civil Grand Jury, and pursuant to California Penal Code 933(a), I am pleased to submit our final report.

The scope of our investigations covered a broad range. In the process of looking into the various issues, we interviewed and spoke with many people. I want to thank all of the County employees and members of the general public for their assistance as we went about doing our job. In particular, we highly valued the support of County Counsel Anita Grant, who provided guidance and timely advice as we worked to understand and process huge amounts of information.

This year's jury members set up a continuity committee to analyze grand jury processes and find ways to improve them. We succeeded in standardizing a number of processes and record-keeping. This included creating user-friendly forms, contact information and filing systems, and digitizing hundreds of records. In the coming years, grand jury members will find it easier to navigate the County government's structure and take care of routine business.

I would like to express my respect for all members of this year's jury. We came from different backgrounds and points of view, but that diversity served to make us a stronger, more effective group. We discussed, debated and collaborated, all within the context of our shared commitment to make Lake County a better place. I hold my grand jury colleagues in the highest regard, recognizing the long hours and many challenges that made up their workload this year. I am proud to have worked with such an enthusiastic and committed group of people.

Sincerely,

James C. Baur
Foreperson, 2014-2015



Superior Court of California

COUNTY OF LAKE
255 NORTH FORBES STREET
LAKEPORT, CALIFORNIA 95453

STEPHEN O. HEDSTROM
SUPERIOR COURT JUDGE

(707) 263-2374 EXT 2231
FAX (707) 262-1327

June 7, 2015

Dear Members of the 2014-2015 Lake County Civil Grand Jury:

The submission of your final report is the result of your hard work. I have reviewed that report, and I find that it complies with Title 4 of Part 2 of the California Penal Code (§§888 et seq.). I direct the clerk of the court to accept and file the final report pursuant to Penal Code §933, subd. (b).

Although there may be disagreement with some of your findings and recommendations, you have acted in the best interests of your community. While you have no power to enforce your recommendations, the law requires governing bodies, elected officials, and agency heads to provide meaningful responses to your findings and recommendations. Respect for your hard work and the importance of your final report should also motivate meaningful responses. Your findings and recommendations, together with official responses and publicity should lead to honest debate and ultimately improve the fairness, quality, and efficiency of local government.

You volunteered a considerable amount of time as grand jurors at a great personal sacrifice. You brought the independence, experience, knowledge, and wisdom of the community to bear upon your final report. You served with dedication and diligence to make Lake County a better place.

I express my appreciation and that of the entire court for your very valuable public service.

Sincerely,

Stephen O. Hedstrom
Presiding Judge of the Superior Court

2014-2015 GRAND JURY ROSTER

NAME	ROLE	CITY
Linda Anido*	Administrative Secretary	Clearlake
James Baur	Foreman	Kelseyville
Johnallen Chamberlain		Clearlake
G. Elliot	Sergeant-At-Arms	Lake County
Bill Helldorfer	Foreman Pro-tem	Kelseyville
Pollyann Johnston		Kelseyville
Darryl Koelling*		Middletown
Rick Lewis		Cobb, CA
Maggie Magoolaghan		Kelseyville
Bruce Maxwell		Lakeport
John Moore*		Kelseyville
Jan Pankratz	Administrative Secretary	Lakeport
Patrick Potter		Upper Lake
Jim Rickel*		Clearlake
Nicola Selph	Recording Secretary	Kelseyville
Joy Swetnam*		Lakeport
Dennis Van Meter		Lakeport
Rebecca Van Meter		Nice
Xian Yeagan		Lakeport

*Unable to complete full-term

Lake County/Cities – Agencies/Departments Required to Respond to all Findings and Recommendations

Pursuant to Penal Code section 933.05, Section C, the Grand Jury requests responses from the following individuals/Departments/Agencies:

AGENCY/DEPARTMENT	PAGE NUMBERS
Board of Public Authority	14
Department of Public Works	27, 28, 29
Department of Social Services – In Home Supportive Services Division	14
Environmental Health Director	7
Health Services Director	7
Lake County Board of Supervisors	3, 7, 20, 27, 28, 29
Lake County Sheriff	3
Lake County Tax Collector	27

Responses are to be submitted to the presiding judge of the Lake County Civil Grand Jury via hard copy. The Grand Jury also requests a digital copy in MS Word delivered to the presiding judge as well.

FINAL REPORTS ALPHABETICAL BY TOPIC



Photo by Debbie Worra of Lakeport

DETENTION HOLDING FACILITIES

Criminals look at identity theft and say only 1 in 700 criminals gets convicted of it. And they look at check forgery and they know that for every 1,400 forgers arrested, only about 123 get convicted and about 26 go to jail. So the rewards are great, but the risks are very slim. So that's one of the reasons that make it very popular. - Frank Abagnale

Be thine own palace, or the world's thy jail. - John Donne

Detention Facilities in Lake County

SUMMARY

Detention facilities are an important part of public safety. The Civil Grand Jury (Grand Jury) is mandated per California Penal Code Section 919 (b) to inquire into the condition and management of the public prisons within the county. We observed that both Konocti Conservation Camp and the Juvenile Detention Center are well maintained. The educational system at the Juvenile Detention Center is up to date and impressive. The staff is focused on the welfare of their wards.

Konocti Conservation Camp is a year round asset available to the county's fire prevention and firefighting responses. The camp was inspected and appeared clean, neat and well maintained. The kitchen at Konocti Conservation camp is staffed by the inmates.

The Sheriff's Department Hill Road Detention Facility and Clearlake Police Department Holding Facility also demonstrated well run operations along with the Main Court Holding Facility in Lakeport. The holding facility at South Lake Superior Court was also inspected.

METHODOLOGY

The Grand Jury interviewed officials and staff members of each detention facility and holding facility and made more than one inspection to several locations.

- Konocti Conservation Camp, jointly operated by the California Department of Corrections and Rehabilitation (CDCR) and California Department of Forestry and Fire Protection (CALFIRE)
- Lake County Hill Road Jail
- Lake County Sheriff's Department
- Clearlake Police Department and Holding Facility
- Main Court Holding Facility, Lakeport
- South Court Holding Facility, Clearlake
- Lake County Juvenile Detention Center
- Lake County Probation Department

The Grand Jury used inspection forms from the California Grand Jury Association Training Manual to evaluate the general conditions of the facilities. The Grand Jury members also reviewed documents gathered from responsible departments such as organizational charts, budgets, required health and fire safety inspections and previous Grand Jury Reports.

DISCUSSION

South Lake Superior Court is currently only hearing non-criminal and lower court cases. The criminal division of Department IV was moved to Lakeport on August 6, 2012 (2012-13 Grand Jury Report).

Persons in custody are usually brought in at the time of their hearing rather than kept in a holding cell until called.

The Grand Jury was shown three holding cells. We were told these cells are not being used. The entire area in and around the former holding facility is used for storage of files and supplies. It was observed that the clerk had difficulty gaining access to the area with her cell key, as if the key or the lock was not working properly.

An inspection was accomplished by the Lake County Environmental Health Agency on January 27, 2012; the notice is posted in the holding cell area, and is valid 7-01-2014 through 6-30-2015. No other inspection notices by other agencies were posted at the time of the Grand Jury's visit.

FINDINGS

F1. The Grand Jury found that all active detention facilities appear to be in compliance with the Grand Jury Inspection Forms.

F2. At the South Court Holding Facility in Clearlake it appeared the lock to the main door leading to the holding facilities was difficult to open.

RECOMMENDATIONS

R1. Should the Superior Court have a need to use the holding cells at South Lake Superior Court, the Sheriff of Lake County should contact the appropriate agency to ensure the cells meet with all in-custody security and public safety standards. (F2)

NOTE:

Two Grand Jury members recused themselves from site visits to Hill Road Jail, and one member recused him/herself from visits to Clearlake Police Holding.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, Section C, the Grand Jury requests responses from the following individuals:

- Lake County Sheriff R1 (90 days)
- Lake County Board of Supervisors R1 (90 days)

Responses are to be submitted to the presiding judge of the Lake County Civil Grand Jury via hard copy. The Grand Jury also requests a digital copy in MS Word delivered to the presiding judge as well.